रजिस्ट्री सं० डी-(डी)-72 REGISTERED No. D-(D)-72

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 85] नई दिल्ली, शनिवार, दिसम्बर 21, 1974/अग्रहायण 30, 1896
No. 85] NEW DELHI, SATURDAY, DECEMBER 21, 1974/AGRAHAYANA 30, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 21st December, 1974/Agrahayana 30, 1896 (Saka)

The following Act of Parliament received the assent of the President on the 21st December, 1974, and is hereby published for general information:—

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 1974

No. 58 OF 1974

[*21st December*, 1974]

An Act further to amend the Representation of the People Act, 1951.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Representation of the People (Amendment) Act, 1974.

(*2*) It shall be deemed to have come into force on the 19th day of October, 1974.

Amendment of Act 43 of 1951.

2. In section 77 of the Representation of the People Act, 1951, in sub-section (*1*), the following *Explanations* shall be inserted at the end, namely:—

'*Explanation* 1.—Notwithstanding any judgment, order or decision of any court to the contrary, any expenditure incurred or authorized in connection with the election of a candidate by a political party or by any other association or body of persons or by any individual (other than the candidate or his election agent) shall not be deemed to be, and shall not ever be deemed to have been, expenditure in connection with the election incurred or authorized by the candidate or by his election agent for the purposes of this sub-section:

Provided that nothing contained in this *Explanation* shall affect—

(*a*) any judgment, order or decision of the Supreme Court whereby the election of a candidate to the House of the People or to the Legislative Assembly of a State has been declared void or set aside before the commencement of the Representation of the People (Amendment) Ordinance, 1974; 13 of 1974.

(*b*) any judgment, order or decision of a High Court whereby the election of any such candidate has been declared void or set aside before the commencement of the said Ordinance if no appeal has been preferred to the Supreme Court against such judgment, order or decision of the High Court before such commencement and the period of limitation for filing such appeal has expired before such commencement.

Explanation 2.—For the purposes of *Explanation* 1, "political party" shall have the same meaning as in the Election Symbols (Reservation and Allotment) Order, 1968, as for the time being in force.'.

Repeal. 3. The Representation of the People (Amendment) Ordinance, 1974, is hereby repealed. 13 of 1974.

K. K. SUNDARAM,
Secy. to the Govt. of India.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 1974